

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Chris Doop,

Petitioner

v.

Steven B. Wolfson, et al.,

Respondents

Case No. 2:22-cv-0440-JAD-DJA

**Order Directing Petitioner to File
 Amended Petition on Court's Form and
 Either Pay Filing Fee or File IFP
 Application by May 21, 2022**

In order to obtain federal habeas review under 28 U.S.C. § 2254, a petitioner must file a proper petition for writ of habeas corpus and either pay the required \$5 filing fee or submit an application for leave to proceed *in forma pauperis* (IFP).¹ The court also requires that such petitions be submitted on this court's approved form to ensure that the court has the information it needs to conduct a preliminary review of the petition and its grounds.

When Petitioner Chris Doop commenced this action, he did not pay the \$5 filing fee or submit an IFP application. As a result, this action is improperly commenced and will not proceed unless and until the petitioner either pays the \$5 filing fee or submits a complete IFP application with all required documentation. Doop's petition was also not submitted on the court's approved form, so he will need to file an amended petition on the court's approved form. On page 1 of that form, he must write the word "AMENDED" immediately above "Petition for a Writ of Habeas Corpus," and he must place the case number, 2:22-cv-0440-JAD-DJA, in the designated space. Local Rule 15-1 cautions that the amended petition must be complete in itself without reference to previously filed papers. So petitioner must include all claims and

¹ Under 28 U.S.C. § 1914(a) and the Judicial Conference Schedule of Fees, a \$5.00 filing fee is required to initiate a habeas action in a federal district court. The court may authorize an indigent prisoner to begin a habeas action without paying the \$5 fee if he submits an IFP application on the approved form and includes three specific documents: (a) the prisoner's financial declaration and acknowledgement showing an inability to prepay fees and costs, (b) a financial certificate signed by the prisoner and an authorized prison official, and (c) a copy of the prisoner's account statement for the six-month period prior to filing. 28 U.S.C. § 1915(a); LSR 1-1, LSR 1-2.

1 allegations that he intends to assert; he cannot merely refer back to his original filing or re-attach
2 pages. Any claims or allegations that are left out of the amended petition or that are not re-
3 alleged will not be considered.

4 **IT IS THEREFORE ORDERED** that the petitioner must:

- 5 • **File an amended petition** on the court's form; **and**
- 6 • Either (1) **pay** the \$5 filing fee **or** (2) **file** an IFP application that includes: (a) a
7 financial certificate signed by petitioner and an authorized prison official, (b) a
8 financial declaration and acknowledgement signed by petitioner, and (c) a copy
9 of his inmate account statement for the six-month period prior to filing.

10 **If he fails to do so by May 21, 2022, this case will be dismissed without prejudice and**
11 **without further prior notice.** If petitioner decides to pay the filing fee from his inmate account,
12 he must arrange to have a copy of this order attached to the check for the filing fee.

13 The Clerk of Court is instructed to **SEND** petitioner a blank form IFP application for
14 incarcerated litigants along with two copies of this order.

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U.S. District Judge Jennifer A. Dorsey
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